

Appl. No. 10/781,925
Amdt. dated July 21, 2006
Reply to Office Action of 06/21/06

PATENT

REMARKS/ARGUMENTS

In response to the election of species requirement, Applicants elect, with traverse, the structure of Species I for initial examination. The claims which read on Species I include claims 1-50. Applicants identify claims 1, 27 and 38 as generic.

The election of species requirement with regard to Species I-VI is respectfully traversed on the basis that although the designated species may be patentably distinct they are not mutually exclusive. MPEP 806.04(f) specifies that "[c]laims to be restricted to different species must be mutually exclusive." However, the species recited by the office action are not mutually exclusive. That is, no features in any of the identified figures is mutually exclusive with features in any of the other structures. Further, Applicants respectfully point out that per M.P.E.P. 809 02(a), if generic claims 1, 27 and 38 are found to be allowable, then examination of all non-elected species claims will be necessary.

The election of species requirement with regard to Species I-VI is further traversed in that the subject matter of all the species is sufficiently related such that a thorough search for any one species would encompass a search for all the remaining species and therefore, present no serious burden on the Examiner. Thus, it is respectfully submitted that a search and examination of the entire application must be made on the merits in accordance with M.P.E.P. 803.

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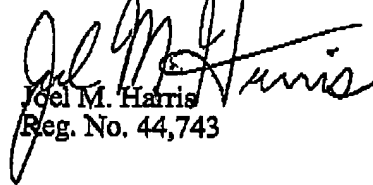
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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